

State of Hawaii
Department of Human Services
Benefit, Employment & Support Services Division
Employment & Child Care Program Office

Request for Proposals

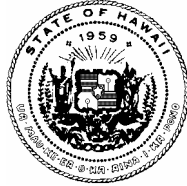
HMS-302-06-01-O

Pre-Plus Preschool Services - Oahu

August 22, 2005

Date Due: September 23, 2005

Note: If this RFP was downloaded from the State Procurement Office RFP Website each applicant must provide contact information to the RFP contact person for this RFP to be notified of any changes. For your convenience, an [RFP Interest form](#) may be downloaded to your computer, completed and e-mailed or mailed to the RFP contact person. The State shall not be responsible for any missing addenda, attachments or other information regarding the RFP if a proposal is submitted from an incomplete RFP.



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

Benefit, Employment and Support Service Division
820 Mililani Street, Suite 606
Honolulu, Hawaii 96813

August 21, 2005

MEMORANDUM

To: All Interested Applicants

From: Lillian B. Koller, Esq., Director

SUBJECT: REQUEST FOR PROPOSALS (RFP) HMS-302-06-01-O

The Department seeks to purchase the services listed above and described in the attached RFP. The RFP provides information to assist applicants in the preparation of program plans and a budget, including: (1) a description of the services sought; (2) the requirements to be met by the provider; (3) the criteria by which qualifying proposals shall be reviewed/rated; and (4) the criteria for monitoring and evaluating the services.

Applicants are to review the RFP very closely and address all parts of the RFP. The Department has scheduled an informational meeting on Friday, September 2, 2005 from 9:00 a.m. – 11:00 a.m. at the Benefit, Employment and Support Services Division, Haseko Center, 820 Mililani Street #606, Honolulu, Hawaii. Program staff from the Department will be present at this session to review the RFP requirements and address any questions.

In order for the Department to consider proposals, all applicants must submit one (1) original and three (3) copies of the proposal to the address in the letterhead via hand-delivery no later than 4:30 p.m., or postmarked U.S. mail by the deadline of September 23, 2005. Proposals and material not requested by the Department or submitted after the deadline will not be accepted for consideration.

PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

ONE ORIGINAL AND THREE (3) COPIES OF THE PROPOSAL ARE REQUIRED

**ALL MAIL-INS MUST BE POSTMARKED BY UNITED STATES POSTAL SERVICE (USPS)
NO LATER THAN
September 23, 2005**

All Mail-ins

Department of Human Services
Benefit, Employment & Support Services Division
Employment & Child Care Program Office
820 Mililani Street, Suite 606
Honolulu, Hawaii 96813

DHS RFP COORDINATOR

Marja Leivo
For further info. or inquiries
Phone: 586-7112
Fax: 586-5744

**ALL HAND DELIVERIES WILL BE ACCEPTED AT THE FOLLOWING SITES UNTIL 4:30 P.M., Hawaii
Standard Time (HST) September 23, 2005.**

Drop-off Sites

Oahu:

Department of Human Services
Benefit, Employment & Support Services Division
Employment & Child Care Program Office
820 Mililani Street, Suite 606
Honolulu, Hawaii 96813

BE ADVISED: All mail-ins postmarked by USPS after **September 23 2005**, will be rejected.

Hand deliveries will **not** be accepted after **4:30 p.m., HST, September 23, 2005.**

Deliveries by private mail services such as FEDEX shall be considered hand deliveries and will not be accepted if received after **4:30 p.m., HST, September 23, 2005.**

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Section 1

Administrative Overview

Section 1

Administrative Overview

Applicants are encouraged to read each section of the RFP thoroughly. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of *each* RFP.

I. Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes (HRS), Chapter 103F and its administrative rules. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective applicant shall constitute admission of such knowledge on the part of such prospective applicant.

II. RFP Organization

This RFP is organized into five sections:

Section 1, Administrative Overview--Provides applicants with an overview of the procurement process.

Section 2, Service Specifications--Provides applicants with a general description of the tasks to be performed, delineates applicant responsibilities, and defines deliverables (as applicable).

Section 3, Proposal Application Instructions--Describes the required format and content for the proposal application.

Section 4, Proposal Evaluation--Describes how proposals will be evaluated by the state purchasing agency.

Section 5, Attachments --Provides applicants with information and forms necessary to complete the application.

III. Contracting Office

The Contracting Office is responsible for overseeing the contract(s) resulting from this RFP, including system operations, fiscal agent operations, and monitoring and assessing provider performance. The Contracting Office is:

Employment, Child Care Program Office
 Department of Human Services, State of Hawai'i
 Benefit, Employment & Support Services Division
 Haseko Center, 820 Mililani Street, #606
 Phone: (808) 586-7112 Fax: (808) 586-5744

IV. Procurement Timetable

Note that the procurement timetable represents the State's best estimated schedule. Contract start dates may be subject to the issuance of a notice to proceed.

Activity	Scheduled Date
Public notice announcing RFP	8/21/05
Distribution of RFP	8/22/05
RFP orientation session	9/2/05
Closing date for submission of written questions for written responses	9/9/05
State purchasing agency's response to applicants' written questions	9/14/05
Discussions with applicant prior to proposal submittal deadline (optional)	9/15-20/05
Proposal submittal deadline	9/23/05
Discussions with applicant after proposal submittal deadline (optional)	N/A
Final revised proposals (optional)	N/A
Proposal evaluation period	9/26-30/05
Provider selection	10/3-7/05
Notice of statement of findings and decision	10/3-7/05
Contract start date	10/10/05

V. Orientation

An orientation for applicants in reference to the request for proposals will be held as follows:

Date: September 2, 2005 **Time:** 9:00 a.m. to 11:00 a.m.
Location: Haseko Center, 820 Mililani Street, #606, Honolulu, Hawaii 96813

Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted at the orientation and spontaneous answers provided at the state purchasing agency's discretion. However, answers provided at the orientation are only intended as general direction and may not represent the state purchasing agency's position. Formal official responses will be provided in writing. To ensure a written response, any oral questions should be submitted in writing following the close of the orientation, but no later than the submittal deadline for written questions indicated in the next paragraph (VI. Submission of Questions).

VI. Submission of Questions

Applicants may submit questions to the RFP Contact Person identified in Section 2 of this RFP. All written questions will receive a written response from the state purchasing agency.

Deadline for submission of written questions:

Date: September 9, 2005 **Time:** 4:30 p.m. HST

State agency responses to applicant written questions will be provided by:

Date: September 14, 2005

VII. Submission of Proposals

A. Forms/Formats - Forms, with the exception of program specific requirements, may be found on the State Procurement Office website at: www.spo.hawaii.gov, click *Procurement of Health and Human Services* and *For Private Providers*. Refer to the Proposal Application Checklist for the location of program specific forms.

1. **Proposal Application Identification (Form SPO-H-200)** - Provides identification of the proposal.
2. **Proposal Application Checklist** – Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the state purchasing agency.
3. **Table of Contents** - A sample table of contents for proposals is located in Section 5, Attachments. This is a sample and meant as a guide. The table of contents may vary depending on the RFP.
4. **Proposal Application (Form SPO-H-200A)** - Applicant shall submit comprehensive narratives that addresses all of the issues contained in the Proposal Application Instructions, including a cost proposal/budget if required. (Refer to Section 3 of this RFP.)
5. **Registration Form (SPO-H-100A)** – If applicant is not registered with the State Procurement Office (business status), this form must be submitted with the application. If applicant is unsure as to their registration status, they may check the State Procurement Office website at: <http://www.spo.hawaii.gov>, click *Procurement of Health and Human Services*, and *For Private Providers* and *Provider Lists...The List of Registered Private Providers for Use with the Competitive Method of Procurement* or call the State Procurement Office at (808) 587-4706.

- 6. Tax Clearance** – A certified copy of a current valid tax clearance certificate issued by the State of Hawaii, Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) shall be submitted with the proposal by the due date and time. The two part Tax Clearance application (Form A-6) that combines DOTAX and IRS tax clearance shall be used for this purpose. The tax clearance application may be obtained from the Department of Taxation website at www.hawaii.gov/tax/tax.html.
- B. Program Specific Requirements** - Additional program specific requirements are included in Sections 2 and/or 3, Service Specifications and the Proposal Application Instructions, as applicable. If Federal and/or State certifications are required, they are listed on the Proposal Application Checklist.
- C. Multiple or Alternate Proposals** - Multiple or alternate proposals shall not be accepted unless specifically provided for in Section 2 of this RFP. In the event alternate proposals are not accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for award as though it were the only proposal submitted by the applicant.
- D. Proposal Submittal** - Proposals must be postmarked by USPS or hand delivered by the date and time designated on the Proposal Mail-In and Delivery Information Sheet attached to this RFP. Any proposal post-marked or received after the designated date and time shall be rejected. Note that postmarks must be by United States Postal Service or they will be considered hand-delivered and shall be rejected if late. One (1) original and three (3) copies of the proposal are required.
- Telefacsimile transmissions, use of electronic mail, or submission of proposals on computer diskettes are not authorized.
- E. Wages and Labor Law Compliance** - Before a provider enters into a service contract in excess of \$25,000, the provider shall certify that it complies with section 103-55, HRS, Wages, hours, and working conditions of employees of contractors performing services. Section 103-55, HRS may be obtained from the Hawaii State Legislature website at <http://www.capitol.hawaii.gov/>. Or go directly to: http://www.capitol.hawaii.gov/hrscurrent/Vol02_Ch0046-0115/HRS0103/HRS_0103-0055.htm
- F. Confidential Information** – If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing nondisclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily

separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

Note that price is not considered confidential and will not be withheld.

VIII. Discussions with Applicants

- A. Prior to Submittal Deadline.** Discussions may be conducted with potential applicants to promote understanding of the purchasing agency's requirements.
- B. After Proposal Submittal Deadline -** Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions, in accordance section 3-143-403, HAR.

IX. Opening of Proposals

Upon receipt of proposal by a state purchasing agency at a designated location, proposals, modifications to proposals, and withdrawals of proposals shall be date-stamped, and when possible, time-stamped. All documents so received shall be held in a secure place by the state purchasing agency and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

X. Additional Materials and Documentation

Upon request from the state purchasing agency, each applicant shall submit any additional materials and documentation reasonably required by the state purchasing agency in its evaluation of the proposals.

XI. RFP Amendments

The State reserves the right to amend this RFP at any time prior to the closing date for the final revised proposals.

XII. Final Revised Proposals

The applicant's final revised proposal, *as applicable* to this RFP, must be postmarked or hand delivered by the date and time specified by the state purchasing agency. Any final revised proposal post-marked or received after the designated date and time shall be rejected. If a final revised proposal is not submitted, the previous submittal shall be construed as their best and final offer/proposal. *The applicant shall submit **only** the section(s) of the proposal that are amended, along with the Proposal Application*

Identification Form (SPO-H-200). After final revised proposals are received, final evaluations will be conducted for an award.

XIII. Cancellation of Request for Proposal

The request for proposal may be canceled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interests of the State.

XIV. Costs for Proposal Preparation

Any costs incurred by applicants in preparing or submitting a proposal are the applicants' sole responsibility.

XV. Provider Participation in Planning

Provider participation in a state purchasing agency's efforts to plan for or to purchase health and human services prior to the state purchasing agency's release of a request for proposals, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals if conducted in accordance with sections 3-142-202, 3-142-203 and 3-143-618 of the Hawaii Administrative Rules for Chapter 103F, HRS.

XVI. Rejection of Proposals

The State reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons: (Relevant sections of the Hawaii Administrative Rules for Chapter 103F, HRS, are parenthesized)

- (1) Rejection for failure to cooperate or deal in good faith (Section 3-141-201, HAR);
- (2) Rejection for inadequate accounting system. (Section 3-141-202, HAR);
- (3) Late proposals (Section 3-143-603, HAR);
- (4) Inadequate response to request for proposals (Section 3-143-609, HAR);
- (5) Proposal not responsive (Section 3-143-610 (1), HAR); or
- (6) Applicant not responsible (Section 3-143-610 (2), HAR).

XVII. Notice of Award

A statement of findings and decision shall be provided to all applicants by mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order or other directive.

No work is to be undertaken by the awardee prior to the contract commencement date. The State of Hawaii is not liable for any costs incurred prior to the official starting date.

XVIII. Protests

Any applicant may file a protest against the awarding of the contract. The Notice of Protest form, SPO-H-801, is available on the SPO website (see the Proposal Application Checklist in Section 5 of this RFP. Only the following matters may be protested:

- (1) A state purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes;
- (2) A state purchasing agency's failure to follow any rule established by Chapter 103F of the Hawaii Revised Statutes; and
- (3) A state purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposals issued by the state purchasing agency.

The Notice of Protest shall be mailed by USPS or hand delivered to the head of the state purchasing agency conducting the protested procurement and the procurement officer who is conducting the procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery services other than USPS shall be considered hand deliveries and considered submitted on the date of actual receipt by the state purchasing agency.

Head of State Purchasing Agency	Procurement Officer
Name: Lillian B. Koller	Name: Edwin Igarashi
Title: Director	Title: Fiscal Management Officer
Mailing Address: P.O. Box 339 Honolulu, HI 96809-0339	Mailing Address: P.O. Box 339 Honolulu, HI 96809-0339
Business Address: 1390 Miller Street Honolulu, HI 96813	Business Address: 1390 Miller Street Honolulu, HI 96813

XIX. Availability of Funds

The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the Director of Finance, State of Hawaii, pursuant to Chapter 37, HRS, and subject to the availability of State and/or Federal funds.

XX. Monitoring and Evaluation

The criteria by which the performance of the contract will be monitored and evaluated are:

- (1) Performance/Outcome Measures
- (2) Output Measures
- (3) Quality of Care/Quality of Services
- (4) Financial Management
- (5) Administrative Requirements

XXI. General and Special Conditions of Contract

The general conditions that will be imposed contractually are on the SPO website at http://www2.hawaii.gov/spoh/Forms_Instructions/contracts/GenCondHHS.PDF. Special conditions may also be incorporated by the state purchasing agency, as deemed necessary. Please see Section 5, Attachment F for some of the special conditions that may be negotiated with the provider who is awarded this contract.

XXII. Cost Principles

In order to promote uniform purchasing practices among state purchasing agencies procuring health and human services under Chapter 103F, HRS, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201 which is available on the SPO website at http://www2.hawaii.gov/spoh/Forms_Instructions/costprinciples.PDF. Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

Section 2

Service Specifications

Section 2

Service Specifications

I. Introduction

A. Overview, purpose or need

The high cost of living in Hawaii has forced many families with young children to spend their limited resources for other necessities and find alternatives to costly preschool programs. As a result, approximately 8,000 children enter kindergarten without a preschool experience. Even if families of these children had sufficient funds for preschool, existing space would be inadequate. The Pre-Plus initiative was created to address this need through the development of a public-private partnership to expand available preschool resources.

In May 2001, the Hawaii Legislature appropriated \$2.5 million per year for two years in Capital Improvement Project (CIP) funding which was designated for the Pre-Plus initiative and limited to the building and/or improvement of State facilities. With these dedicated funds, thirteen new preschool facilities have been built and four more are expected to be completed this year on Department of Education (DOE) elementary school campuses. All Pre-Plus facilities are owned by the DOE but are to be operated by private preschool providers. Each facility is designed to accommodate a minimum of twenty (20) children by DHS licensing regulations. Contracts have been awarded for operations at the first thirteen facilities.

The purpose of this RFP is to contract with one or more private preschool providers to operate Pre-Plus facilities located at two sites on the island of Oahu.

B. Description of the goals of the service

The goal of Pre-Plus is to provide increased opportunities for preschool age children to experience preschool and to facilitate their successful transition into kindergarten.

C. Description of the target population to be served

This service is targeted to benefit children, three (3) and four (4) years of age with a preference for children whose families fall at or below 200% of the Federal Poverty Index. Although Pre-Plus is focusing on this group, children from families of any income level may be served at a Pre-Plus facility.

D. Geographic coverage of service

Pre-Plus sites that the State requests proposals for are as follows:

Kapolei Elementary School, 91-1119 Kamaaha Loop, Kapolei, HI 96707
Kuhio Elementary School, 2759 South King Street, Honolulu, HI 96826

Priority will be given to children who reside in the school district of the Pre-Plus sites although all sites are allowed to accept children from any school district.

E. Probable funding amounts, source, and period of availability

The State shall provide a facility, rent-free, to private preschool provider(s). All costs incurred for utilities and maintenance will be the responsibility of the provider or as agreed upon by the school principal and provider. There is no funding available for operating costs. However, the Department of Human Services will provide some basic classroom furnishings: chairs, tables, cubbies, refrigerator, etc. More information will be provided to interested applicants at the orientation meeting.

The contract with the provider(s) that allows the operation of a program at a Pre-Plus facility shall continue on an annual basis (State Fiscal Year – July to June) based on satisfactory performance as evaluated by the Department of Human Services (DHS) and the Department of Education (DOE) or an appointed designee. The evaluation will be contingent upon meeting the contract requirements made between the provider and the DOE, and the provider and DHS.

The period of this contract shall be for the period October 10, 2005 to October 9, 2006. The start date of services is dependent on the availability of facilities. There is an option to extend this contract for five (5) additional twelve-month terms, not to exceed October 9, 2011, subject to satisfactory performance.

II. General Requirements**A. Specific qualifications or requirements, including but not limited to licensure or accreditation**

The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/1/98), which can be found on the SPO website at http://www2.hawaii.gov/spoh/Forms_Instructions/costprinciples.PDF.

The provider must have at least two (2) years experience in operating a DHS-licensed child care facility.

The Provider must obtain a Group Child Care Center license from DHS prior to starting services at the Pre-Plus facility and ensure that the appropriate staff qualifications and teacher-child ratio regulations are maintained at all times during the hours of operation.

The Provider must obtain accreditation from a nationally/DHS approved accreditation body (NAEYC or NECPA) within three (3) years from the date of occupancy with the exception of Head Start Programs, which must meet Head Start Performance Standards.

The provider must complete DOE Forms BO-1 (*Application for Use of School Buildings, Facilities, or Grounds*) and BO-2 (*Statement Indemnifying State against Liability Claim*) annually as part of the reporting requirements of the contract. (See Section 5, Attachments C, D) **Forms are for example only and are not required at time of proposal submittal.**

B. Secondary purchaser participation
(Refer to §3-143-608, HAR)

Not Applicable

C. Multiple or alternate proposals **check one**
(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded **check one**
(Refer to §3-143-206, HAR)

☐ Single ☒ Multiple ☐ Single & Multiple

E. Single or multi-term contracts to be awarded **check one**
(Refer to §3-149-302, HAR)

☐ Single term (≤ 2 yrs) ☒ Multi-term (> 2 yrs.)

Contract terms:

The initial term of the contract shall be for a twelve (12) month period (October 10, 2005 to October 9, 2006), with the option to extend the contract for an additional twelve month period, not to exceed October 9, 2011.

Conditions for extension: The contract for the proposed services may be extended, subject to provider performance and need, or unless the Agreement is sooner terminated as hereinafter provided. The option to extend the service will be offered in writing by the State. No supplementary agreement shall be binding upon the State until the agreement has been fully and properly executed by all parties thereto prior to the start date of agreement. The provider shall not provide any services until the agreement is fully and properly executed.

F. RFP contact person

The individual listed below is the sole point of contact from the date of release of this RFP until the selection of the successful provider or providers. Written questions should be submitted to the RFP contact person and received on or before the day and time specified in Section I, Item IV (Procurement Timetable) of this RFP. Contact Marja Leivo at 586-7112.

III. Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities

(Minimum and/or mandatory tasks and responsibilities)

The provider shall offer preschool services with the focus on children three (3) and/or four (4) years of age whose families fall at or below 200% of the Federal Poverty Index.

The Pre-Plus facility shall be for the sole use of the Pre-Plus program, and the official name of the facility shall be the “(site name) Pre-Plus”, ie. Kapolei Pre-Plus. All other terms, references or identifiers used in connection with the “Pre-Plus” program shall merely identify the location and/or the provider.

The provider shall be willing to include special needs children, as defined by Hawaii Administrative Rules 8-53 & 8-56 and Section 619 of the Federal Individuals with Disabilities Education Act (IDEA) of 1997, in their program provided that the provider has the required qualifications, staffing and resources as defined by the Department of Education to adequately service this population without adverse impact to the overall service delivery of the Pre-Plus program.

Designation of responsibilities in providing services to special needs children in the Pre-Plus program shall be negotiated and set forth in an agreement between the provider and the Department of Education.

The provider must demonstrate capability and willingness to work collaboratively with the Department of Education to develop and offer educational, social, and recreational activities appropriate to the children's ages and developmental stages. The collaborative effort shall reflect the overall intent of the Pre-Plus effort in providing pre-school aged children a preschool experience and facilitating a seamless transition from preschool to Kindergarten. The provider shall be responsible for delivery, daily oversight of the curriculum, and incorporation of a transition strategy from preschool to Kindergarten. The Department of Education shall be responsible for overall review of the curriculum to determine its appropriateness and that it works towards meeting the goal and expectations for its Kindergarten grade level entry.

In the event that there is disagreement between the provider and Department of Education in their collaborative effort to develop the curriculum, the Department of Human Services, or a representative designated by the Department, shall assist in facilitating a resolution. If no resolution results from such efforts, the Department of Human Services shall make a final decision.

The provider must incorporate a parent involvement plan for families whose child(ren) attends the Pre-Plus program operated by the provider. Parent involvement plans may include, but are not limited to, parent newsletters, parent nights, family fun days, and the like.

The provider shall ultimately be responsible for the daily operational maintenance of the Pre-Plus classroom, such as but not limited to classroom janitorial services, grounds maintenance of the playground and the existing fencing that surrounds the area, and restocking of classroom inventory. The provider and the Department of Education may choose to share in this responsibility if both parties are in agreement to do so.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

The provider shall hire a teacher and an aide for the Pre-Plus facility operated by the provider, both of whom shall be qualified to work with preschool children in accordance with rules and regulations of the State Department of Human Services (DHS). (Refer to HAR §17-892.1-17)

The provider shall submit an organizational chart showing clear lines of authority for each person performing services under this project and describe the organization's capability and experience in performing this service, including the qualifications of the project manager and other key personnel.

2. Administrative

The provider shall operate the Pre-Plus facility as a DHS licensed child care facility and ensure that the appropriate staff qualifications and teacher-child ratio regulations are maintained at all times during the hours of operation.

The provider shall ensure that reporting requirements and accreditation requirements are met as specified in the General Requirements. (See Section II. General Requirements A.)

All costs incurred for utilities and operational maintenance will be the responsibility of the provider or as agreed upon by the school principal and provider. The provider shall pay the monthly fixed-cost utilities fee as determined by the DOE/Operations/Maintenance Section.

3. Quality assurance and evaluation specifications

The provider, upon request by the State, shall meet with representatives of the State to discuss the progress of the project and cooperate with the State in an annual performance evaluation. The performance evaluation shall be completed as soon as possible after July 31 of each year of the contract and all extensions thereof. The progress of the project and performance evaluation will be based on but not be limited to the following factors:

- a) Observation of the program operations;
- b) Examining materials ordered for the project;
- c) Inspecting renovations made to the facility;
- d) Examining record keeping procedures;
- e) Documentation of the various service activities.

The provider shall be responsible for keeping records of purchases of equipment and materials purchased with their own funds. These records shall be made available for review by DHS staff upon request. The provider shall submit an annual inventory of the State provided furniture, furnishings and equipment in a manner prescribed by the State.

4. Output and performance/outcome measurements

The provider shall have made progress in meeting the outcomes as indicated in the service activity section (III.A.) above by:

- a) Submitting a quarterly report (DHS 940 (08/05) no later than 30 days after the end of each calendar quarter. (See Section 5, Attachment E)
- b) Submit annual documentation to verify payment of monthly charges for utilities paid to the DOE if applicable.

The provider shall submit additional information as specified by the State upon request as necessary.

5. Experience

The provider shall have experience in operating a DHS licensed group child care center and providing preschool services for children three (3) and four (4) years of age. Indicate if this experience is with an accredited child care program and name the accrediting agency, or with a Head Start program.

The provider shall indicate how this experience will be applicable towards fulfilling the goals of the Pre-Plus Program.

6. Reporting requirements for program and fiscal data

The provider must provide and obtain information relevant to the Pre-Plus initiative as requested by the Department of Human Services or the Department of Education. This may include, but is not limited to parental consents and collection of data for research purposes. Additionally, a Pre-Plus Quarterly Report (DHS 940 (08/05) must be submitted no later than 30 days after the end of each calendar quarter. (See Section 5, Attachment E)

The provider shall submit at the beginning of the Fall semester a report on the children enrolled that shall include: the number of children enrolled; the type of child care each child had been receiving preceding their enrollment in Pre-Plus (ex. family child care, relative care, center-based care, etc.); and, the name of the provider for each child that had been in center-based care preceding their enrollment in Pre-Plus.

7. Pricing structure or pricing methodology to be used

Not applicable.

8. Units of service and unit rate

Not applicable.

IV. Facilities

Not applicable.

Section 3

Proposal Application Instructions

Section 3

Proposal Application Instructions

General instructions for completing applications:

- *Proposal Applications shall be submitted to the state purchasing agency using the prescribed format outlined in this section.*
- *The numerical outline for the application, the titles/subtitles, and the applicant organization and RFP identification information on the top right hand corner of each page should be retained. The instructions for each section however may be omitted.*
- *Page numbering of the Proposal Application should be consecutive, beginning with page one and continuing through for each section. **See sample table of Contents***
- *Proposals may be submitted in a three ring binder (Optional).*
- *Tabbing of sections (Recommended).*
- *Applicants must also include a Table of Contents with the Proposal Application. A sample format is reflected in Section 5, Attachment B of this RFP.*
- *A written response is required for **each** item unless indicated otherwise. Failure to answer any of the items will impact upon an applicant's score.*
- *Applicants are **strongly** encouraged to review evaluation criteria in Section 4, Proposal Evaluation when completing the proposal.*
- *This form (SPO-H-200A) is available on the SPO website (for the website address see the Proposal Application Checklist in Section 5, Attachments). However, the form will not include items specific to each RFP. If using the website form, the applicant must include all items listed in this section.*

The Proposal Application comprises the following sections:

- *Proposal Application Identification Form*
- *Table of Contents*
- *Program Overview*
- *Experience and Capability*
- *Project Organization and Staffing*
- *Service Delivery*
- *Financial*
- *Other*

I. Program Overview

Applicant shall give a brief overview to orient evaluators as to the program/services being offered, and the applicant's organization, the goals, and objectives related to the proposed service activity.

II. Experience and Capability

A. Necessary Skills

The applicant shall demonstrate that it has the necessary skills, abilities, and knowledge relating to the delivery of the proposed services. Include a brief description of the preschool curriculum and philosophy that will be utilized.

B. Experience

The applicant shall provide a listing and description of current operations and experience in serving preschool-aged children in a DHS licensed preschool facility, including the number of years experience in operating a DHS licensed preschool facility.

The applicant shall describe experience with special needs children, with accreditation and/or meeting performance standards, and familiarity or experience with the Pre-Plus site(s).

C. Quality Assurance and Evaluation

The applicant shall describe its own plans for quality assurance and evaluation for the proposed services, including methodology. The quality assurance and evaluation plans should include how the applicant will handle concerns with staff performance, parent complaints, monitoring of the activities at the Pre-Plus site, and plans for obtaining accreditation and/or meeting Head Start Performance Standards.

D. Coordination of Services

The applicant shall demonstrate the capability to coordinate services with other agencies and resources in the community. Describe plan to collaborate with school principal, and transition strategy from Preschool to Kindergarten for children in the Pre-Plus program.

E. Facilities

Not Applicable

III. Project Organization and Staffing

A. Staffing

1. Proposed Staffing

The applicant shall describe the proposed staffing pattern, client/staff ratio and proposed caseload capacity appropriate for the viability of the

services. (Refer to the personnel requirements in the Service Specifications, as applicable.) Describe the proposed staffing pattern for the Pre-Plus site(s).

2. Staff Qualifications

The applicant shall provide the minimum qualifications (including experience) for staff assigned to the program. (Refer to the qualifications in the Service Specifications, as applicable.) Describe the general staff qualifications for the Pre-Plus site(s).

B. Project Organization

1. Supervision and Training

The applicant shall describe its ability to supervise, train and provide administrative direction relative to the delivery of the proposed services. Describe any additional in-service training provided to staff, if applicable, including frequency and duration of training sessions, and how staff at the Pre-Plus site(s) will be monitored.

2. Organization Chart

The applicant shall reflect the position of each staff and line of responsibility/supervision. (Include position title, name and full time equivalency) Both the “Organization-wide” and “Program” organization charts shall be attached to the Proposal Application.

IV. Service Delivery

Applicant shall include a detailed discussion of the applicant’s approach to applicable service activities and management requirements from Section 2, Item III. - Scope of Work, including (if indicated) a work plan of all service activities and tasks to be completed, related work assignments/responsibilities and timelines/schedules. This can include a daily, monthly, and annual calendar/schedule of activities. The applicant shall provide a list of State holidays when the program will not operate.

Description of primary services or activities shall include, but are not limited to:

- A. The general plan for providing the required services;
- B. An indication of the proposed hours of operation for the Pre-Plus site;
- C. An indication of the enrollment procedures and the age group to be targeted for the Pre-Plus site;
- D. A description of the meal plan for children in care at Pre-Plus site, including who will provide meals/snacks for children; and
- E. A description of the plans to involve families in the Pre-Plus program.

V. Financial

A. Pricing Structure

Applicant shall describe source(s) of funding for the proposed program at the Pre-Plus site(s) they are applying for including, but not limited to subsidies, tuition, or other sources.

The following budget form(s) shall be submitted with the Proposal Application:

SPO-H-205	Budget
SPO-H-206A	Budget Justification – Personnel: Salaries & Wages
SPO-H-206B	Budget Justification – Personnel: Payroll Taxes and Assessments, and Fringe Benefits
SPO-H-206E	Budget Justification – Contractual Services - Administrative

All budget forms, instructions and samples are located on the SPO website (see the Proposal Application Checklist in Section 5 for website address).

B. Other Financial Related Materials

In order to determine the adequacy of the applicant's accounting system as described under the administrative rules, the following documents are requested as part of the Proposal Application (may be attached):

- 1) The applicant is to submit the organization's financial statements for the period ending June 30, 2004.
- 2) The applicant is to submit a copy of the organization's financial policies that relate to the expenditure of funds for this project.

VI. Other

A. Litigation

The applicant shall disclose any pending litigation to which they are a party, including the disclosure of any outstanding judgment. If applicable, please explain.

Section 4

Proposal Evaluation

Section 4

Proposal Evaluation

I. Introduction

The evaluation of proposals received in response to the RFP will be conducted comprehensively, fairly and impartially. Structural, quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation.

II. Evaluation Process

The procurement officer or an evaluation committee of designated reviewers selected by the head of the state purchasing agency or procurement officer shall review and evaluate proposals. When an evaluation committee is utilized, the committee will be comprised of individuals with experience in, knowledge of, and program responsibility for program service and financing.

The evaluation will be conducted in three phases as follows:

- Phase 1 - Evaluation of Proposal Requirements
- Phase 2 - Evaluation of Proposal Application
- Phase 3 - Recommendation for Award

Evaluation Categories and Thresholds

Evaluation Categories

Possible Points

Administrative Requirements

Proposal Application

Program Overview	0 points
Experience and Capability	30 points
Project Organization and Staffing	15 points
Service Delivery	50 points
Financial	5 points

100 Points

TOTAL POSSIBLE POINTS

100 Points

III. Evaluation Criteria

A. Phase 1 - Evaluation of Proposal Requirements

1. Administrative Requirements

- Application Checklist
- Registration (if not pre-registered with the State Procurement Office)
- Tax Clearance Certificate

2. Proposal Application Requirements

- Proposal Application Identification Form (Form SPO-H-200)
- Table of Contents
- Program Overview
- Experience and Capability
- Project Organization and Staffing
- Service Delivery
- Financial (All required forms and documents)
- Program Specific Requirements (as applicable)

B. Phase 2 - Evaluation of Proposal Application (100 Points)

Program Overview: No points are assigned to Program Overview. The intent is to give the applicant an opportunity to orient evaluators as to the service(s) being offered.

1. *Experience and Capability (30 Points)*

The State will evaluate the applicant's experience and capability relevant to the proposal contract, which shall include:

A. Necessary Skills

- Demonstrated skills, abilities, and knowledge relating to the delivery of the proposed services, including but not limited to: a) attainment of accreditation and/or meeting performance standards; b) familiarity of the Pre-Plus site(s) applying for and awareness of community needs; and, c) provision of an appropriate transition strategy from Preschool to Kindergarten for children in care at Pre-Plus site(s).

B. Experience

- Demonstrated experience and capability in serving preschool-aged children in a DHS licensed and accredited preschool or Head Start facility.
- Demonstrated experience in providing an appropriate preschool curriculum and philosophy.
- Demonstrated experience in serving children with special needs.

C. Quality Assurance and Evaluation

- There is a detailed plan that describes how complaints from the public will be handled.
- There is a detailed plan that illustrates how outcomes will be measured for the proposed services.
- There is a detailed plan that evaluates the effectiveness of the service provided.

D. Coordination of Services

- Demonstrated capability to collaborate with school principal and coordinate services with other agencies and resources in the community.
- Demonstrated ability to provide an appropriate transition strategy from Preschool to Kindergarten for children in care at the Pre-Plus site.

E. Facilities

- Not Applicable.

2. *Project Organization and Staffing (15 Points)*

The State will evaluate the applicant's overall staffing approach to the service that shall include:

A. Staffing

- Proposed Staffing: That the proposed staffing pattern, staff/child ratio, and proposed program supervision is reasonable to insure viability of the services and meet DHS requirements.
- Staff Qualifications: Minimum qualifications (including experience) for staff assigned to the program.

B. Project Organization

- **Supervision and Training:** Demonstrated ability to supervise, train and provide administrative direction to staff relative to the delivery of the proposed services.
- **Organization Chart:** Approach and rationale for the structure, functions, and staffing of the proposed organization for the overall service activity and tasks.

3. Service Delivery (50 Points)

Evaluation criteria for this section will assess the applicant's approach to the service activities and management requirements outlined in the Proposal Application.

- Services throughout the contract period are clearly described, and serve the target age and income group appropriate for Pre-Plus site.
- Schedules and hours of operation are appropriate for Pre-Plus site.
- Extent to which there is management oversight of the curriculum, clarity of work assignments and designation of responsibilities, including the daily operational maintenance of the Pre-Plus classroom and facilities.
- Proposal clearly describes a plan for collaborating with the DOE to facilitate a seamless transition from preschool to Kindergarten.
- Proposal clearly describes capability and willingness to work collaboratively with the DOE to develop and offer educational, social, and recreational activities appropriate to the children's ages and developmental levels, and to providing services for special needs children in the program.
- Proposal describes a parent involvement plan for families whose children attend the Pre-Plus program.
- Proposal clearly describes a meal service plan for all the children enrolled in the Pre-Plus program.
- Proposal clearly describes the approach to monitoring and maintaining the facility and property at standards of repair,

orderliness, sanitation and safety as required by the State.

4. *Financial (5 Points)*

- The proposed budget supports the scope of service and requirements of the RFP.
- Accounting system is described in detail and adequate.
- Financial statements for period ending June 30, 2004 are provided and indicate satisfactory findings.

C. Phase 3 - Recommendation for Award

Each notice of award shall contain a statement of findings and decision for the award or non-award of the contract to each applicant.

Section 5

Attachments

- A. Proposal Application Checklist
- B. Proposal Application - Sample Table of Contents
- C. Sample Form BO-1 – Application for use of School Buildings, Facilities, or Grounds
- D. Sample form BO-2 – Statement Indemnifying State against Liability Claim
- E. Sample Form DHS 940 (08/05) – Pre-Plus Quarterly Report
- F. Special Conditions

Attachment A

Proposal Application Checklist

Proposal Application Checklist

Applicant: _____

RFP No.: _____

The applicant's proposal must contain the following components in the order shown below. This checklist must be signed, dated and returned to the state purchasing agency as part of the Proposal Application. *SPO-H forms are located on the web at <http://www.spo.hawaii.gov> Click *Procurement of Health and Human Services* and *For Private Providers*.*

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Completed by Applicant
General:				
Proposal Application Identification Form (SPO-H-200)	Section 1, RFP	SPO Website*	X	
Proposal Application Checklist	Section 1, RFP	Attachment A	X	
Table of Contents	Section 5, RFP	Section 5, RFP	X	
Proposal Application (SPO-H-200A)	Section 3, RFP	SPO Website*	X	
Registration Form (SPO-H-100A)	Section 1, RFP	SPO Website*	(Required if not Registered)	
Tax Clearance Certificate (Form A-6)	Section 1, RFP	Dept. of Taxation Website (Link on SPO website)*		
Cost Proposal (Budget)				
SPO-H-205	Section 3, RFP	SPO Website*	X	
SPO-H-205A	Section 3, RFP	SPO Website* Special Instructions is applicable, Section 5		
SPO-H-205B	Section 3, RFP,	SPO Website* Special Instructions, Section 5		
SPO-H-206A	Section 3, RFP	SPO Website*	X	
SPO-H-206B	Section 3, RFP	SPO Website*	X	
SPO-H-206C	Section 3, RFP	SPO Website*		
SPO-H-206D	Section 3, RFP	SPO Website*		
SPO-H-206E	Section 3, RFP	SPO Website*	X	
SPO-H-206F	Section 3, RFP	SPO Website*		
SPO-H-206G	Section 3, RFP	SPO Website*		
SPO-H-206H	Section 3, RFP	SPO Website*		
SPO-H-206I	Section 3, RFP	SPO Website*		
SPO-H-206J	Section 3, RFP	SPO Website*		
Certifications:				
Federal Certifications		Section 5, RFP		
Debarment & Suspension		Section 5, RFP		
Drug Free Workplace		Section 5, RFP		
Lobbying		Section 5, RFP		
Program Fraud Civil Remedies Act		Section 5, RFP		
Environmental Tobacco Smoke		Section 5, RFP		
Program Specific Requirements:				

Authorized Signature

Date

Attachment B

Proposal Application Sample Table of Contents

Proposal Application Table of Contents

I.	Program Overview.....	1
II.	Experience and Capability	1
	A. Necessary Skills	2
	B. Experience.....	4
	C. Quality Assurance and Evaluation.....	5
	D. Coordination of Services.....	6
	E. Facilities.....	6
III.	Project Organization and Staffing	7
	A. Staffing.....	7
	1. Proposed Staffing.....	7
	2. Staff Qualifications	9
	B. Project Organization	10
	1. Supervision and Training.....	10
	2. Organization Chart (Program & Organization-wide) (See Attachments for Organization Charts)	
IV.	Service Delivery.....	12
V.	Financial.....	20
	See Attachments for Cost Proposal	
VI.	Litigation.....	20
VII.	Attachments	
	A. Cost Proposal	
	SPO-H-205 Proposal Budget	
	SPO-H-206A Budget Justification - Personnel: Salaries & Wages	
	SPO-H-206B Budget Justification - Personnel: Payroll Taxes and Assessments, and Fringe Benefits	
	SPO-H-206C Budget Justification - Travel: Interisland	
	SPO-H-206E Budget Justification - Contractual Services – Administrative	
	B. Other Financial Related Materials	
	Financial Audit for fiscal year ended June 30, 1994	
	C. Organization Chart	
	Program	
	Organization-wide	
	D. Performance and Output Measurement Tables	
	Table A	
	Table B	
	Table C	
	E. Program Specific Requirements	

Attachment C

Sample Form BO-1 Application for use of School Buildings, Facilities, or Grounds

DEPARTMENT OF EDUCATION • STATE OF HAWAII

APPLICATION FOR USE OF SCHOOL BUILDINGS, FACILITIES, OR GROUNDS

(Application should be received by the School at least **10 working days** prior to requested date of use.)

Date _____ 19____

WE RESPECTFULLY REQUEST THE USE OF:

☐ CLASSROOM
☐ DINING ROOM

☐ AUDITORIUM
☐ GYMNASIUM

☐ LIBRARY
☐ OTHER: _____

AT _____ SCHOOL ON THE FOLLOWING DATE(S): _____
(month/day/year)

FROM _____ a.m./p.m. TO _____ a.m./p.m.

FOR THE PURPOSE OF (GIVE INFORMATION ON USE): _____

APPLICANT'S NAME AND ORGANIZATION: _____

ADDRESS: _____ PHONE: Home: _____

Bus.: _____

PLEASE ANSWER THE FOLLOWING QUESTIONS AND AFFIX YOUR SIGNATURE:

1. IS YOUR ORGANIZATION TAX-EXEMPT NON-PROFIT? (TAX I.D. NUMBER: _____) ☐ YES ☐ NO

2. IS THIS A GOVERNMENT SPONSORED ACTIVITY? (SPONSORING AGENCY: _____) ☐ YES ☐ NO

3. IS THIS A SCHOOL/DOE SPONSORED ACTIVITY? (SCHOOL ADMINISTRATION: _____) ☐ YES ☐ NO

4. IS THIS A RELIGIOUS OR CHURCH RELATED ACTIVITY? ☐ YES ☐ NO

If "yes," you are hereby notified that the Department of Education will allow the use of public school facilities by religious groups on temporary basis only in order to comply with the First Amendment of the U.S. Constitution and Article I, Section 4 of the Constitution of the State of Hawaii. Leases may be renewed annually but not exceeding five (5) years. You are expected to make a good faith effort to retain a more permanent or alternative location for your religious activities during the period of the lease. If such a good faith effort is lacking, your lease may not be renewed.

Total number of years the church or religious organization has been using the school's facilities: _____

5. IS THIS A PERSONAL OR PRIVATE BUSINESS ACTIVITY? ☐ YES ☐ NO

6. IS THERE A FEE, TUITION, OR DONATION COLLECTED? (AMOUNT: \$ _____ PER DAY/PER HOUR) ☐ YES ☐ NO

7. DO YOU PLAN TO SUBLEASE THE FACILITY? (Craft Fairs and Carnivals) ☐ YES ☐ NO

IF SUBLEASING, ARE ALL SUBLESSEES TO BE COVERED BY APPLICANT'S LIABILITY INSURANCE? ☐ YES ☐ NO

I, the undersigned, on behalf of the organization I represent, have answered the above questions truthfully and accurately. If the school facilities, equipment or grounds are not properly maintained by the applicant, the State of Hawaii Department of Education will deny further use of school facilities, equipment or grounds to the individual or organization and seek appropriate restitution for damages incurred. The applicant further understands that the school facilities and grounds are to be alcohol and tobacco free, meaning that the use of any alcohol or tobacco substances are prohibited at all times on school grounds or at any school activities. Furthermore, I understand that as a user of school facilities the activity being conducted shall be lawful and shall not discriminate against participants based on sex, race, color, religion, age, national origin, or disability.

SIGNATURE _____

DATE _____

(To be filled in by the school)

ACTUAL FEES AND CHARGES:

TYPE OF REQUEST:				CODES FOR CASH RECEIPTS:		
	TYPE I	TYPE II	TYPE III	Org. I.D.	Source/Object	Program I.D.
RENTAL:	\$ N/A	\$ N/A	\$ _____	___ 000	1240	37307
CUSTODIAL:	\$ _____	\$ _____	\$ _____	___ 468	2209	37297
UTILITIES:	\$ N/A	\$ _____	\$ _____	___ 000	5001	37326
TOTALS:	\$ _____	\$ _____	\$ _____	___ (School Code)		

(Checks payable to: DEPARTMENT OF EDUCATION)

POLICE AND/OR LIFEGUARD REQUIRED: (NUMBER OF POLICE AND/OR LIFEGUARDS REQUIRED: _____) ☐ YES ☐ NO

LIABILITY INSURANCE REQUIRED: (\$1,000,000 liability insurance for craft fairs, carnivals, and certain athletic events)
Policy No. _____ ☐ YES ☐ NO

YOUR REQUEST FOR USE OF SCHOOL FACILITIES OR GROUNDS IS HEREBY: ☐ APPROVED ☐ DISAPPROVED

Signature: _____ Date: _____

(Principal/Designee)

REASON FOR DISAPPROVAL: ☐ FACILITY REQUESTED NOT AVAILABLE ☐ OTHER: _____

☐ CUSTODIAN/STAFF NOT AVAILABLE

Attachment D

Sample Form BO -2 Statement Indemnifying State Against Liability Claim

Application No. _____ (District)

Application No. _____ (School)

DEPARTMENT OF EDUCATION • STATE OF HAWAII
STATEMENT INDEMNIFYING STATE AGAINST LIABILITY CLAIM
(Application for Use of School Buildings, Facilities or Grounds)

School: _____

The undersigned individual(s), group and/or organization, his or their heirs, personal representative and assigns, or its officers, directors, members, agents, employees, successors and assigns, for and in consideration of the State of Hawaii Department of Education permitting and allowing the use of the designated school rooms, buildings and/or facilities jointly and severally agree(s) to indemnify and save harmless the State of Hawaii Department of Education against any

and all loss, liability, demands, claims, suits, actions or proceedings of every name, character and description which may be suffered or incurred by or brought against the State of Hawaii Department of Education for or an account of any injuries or damages to any person or property received or sustained by any person, directly or indirectly, by or in consequence of the use of the facilities by the undersigned individual(s), groups and/or organization.

Signature

Date

Name of Organization

Subscribed and sworn to before me

this _____ day of _____, 19____

Notary Public, _____ Judicial Circuit
State of Hawaii

My commission expires: _____

OR

School Principal or Vice Principal

Date

Attachment E

Sample Form – DHS 940 (08/05) Pre-Plus Quarterly Report



PRE-PLUS QUARTERLY REPORT

Location of Pre-Plus Facility: _____ Name of Provider: _____ Reporting Period: _____ Year: _____								
	# of 3 year old children enrolled	# of 4 year old children enrolled	Total number of children enrolled	# of special needs children DOE qualified	# of children whose families fall at or below 200% of FPI	# of children utilizing DHS subsidies	# of children utilizing other subsidies and or scholarships*	# of children with prior preschool experience & name of preschool**
JANUARY								
FEBRUARY								
MARCH								
APRIL								
MAY								
JUNE								
JULY								
AUGUST								
SEPTEMBER								
OCTOBER								
NOVEMBER								
DECEMBER								

*List number and type of subsidy/scholarship on back if necessary

**List number and names of preschools on back if several

Attachment F

Special Conditions

SPECIAL CONDITIONS

Liability Insurance

Notwithstanding the “General Conditions” for all 103F-procured contracts, where section 1.4 addresses the liability insurance in a combined amount of at least ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00), the Department of Human Services requires that the PROVIDER obtain, maintain, and keep in force throughout the period of this Agreement liability insurance (the “Liability Insurance”) issued by an insurance company in a combined amount of at least TWO MILLION AND NO/100 DOLLARS (\$2,000,000.00), or such lesser amount requested in writing by the PROVIDER, and, for good cause shown, approved by the head of the purchasing agency, which approval, if any, is incorporated herein by reference, for bodily injury and property damage liability arising out of each occurrence. The Liability Insurance shall provide that it is the primary insurance for the State of Hawai’i, the purchasing agency, and their officers, employees, and agents from any liability arising out of or resulting from occurrences connected with the PROVIDER’S performance under the Agreement. Prior to or upon execution of the Agreement, the PROVIDER shall obtain a certificate of insurance verifying the existence of the necessary liability insurance coverage, including the coverage of the State of Hawai’i, and its officers, employees, and agents. If the scheduled expiration date of the liability insurance policy is earlier than the expiration date of the time of performance under the Agreement, the PROVIDER, upon renewal of the policy, shall promptly cause to be provided to the State of Hawaii an updated certificate of insurance. The certificates of insurance shall expressly provide that the insurance policy shall not be cancelled unless the insurance company has first given to the State of Hawaii thirty (30) calendar days’ written notice of the intended cancellation.

“PROVIDER’S insurance policy shall contain cross-liability endorsements and shall ensure performance by PROVIDER of the indemnity provisions of the Agreement. The insurance provided by PROVIDER shall be primary, not contributing; shall state that the Department of Human Services and the Department of Education, jointly and severally, are entitled to recovery for the negligence of the PROVIDER even though they are named as additional insured; shall provide for severability of interest; shall provide that an act or omission of the insured or additional insureds which would void or otherwise void or reduce coverage shall not void or duce coverage as to the other insured or additional insured; and shall afford coverage after the term of this Agreement (by separate policy extension if necessary) for all claims based on acts, omissions, injury or damage which occurred or arose (or the onset of which occurred or arose) in whole or in part during the term of this Agreement.”

Information

The PROVIDER shall appoint the Department of Human Services and the Department of Education, jointly and severally, as its duly authorized representative and partner within the meaning of the Pre-Plus private/public partnership to receive information, statistics and documents relevant to the Pre-Plus program and the Facility operated by the PROVIDER. The PROVIDER shall obtain all necessary written consents from all students, parents and personnel to provide to the State all requested relevant information regarding use, programs, and the Facility.